(29)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3122 of 2007

PETITIONER : Shri Kailash Kumar Patel S/o Shri Parmeshwar Lal Patel, aged about 36 years, Assistant Teacher, Govt. Middle School, Amlidih, Tahsil Gharghoda, Distt. Raigarh (CG)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through the Secretary, Department of Education, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.
2. District Education Officer, Dist. Raigarh (CG)
3. Assistant Commissioner, Department of Tribal Welfare, Raigarh, District Raigarh, (CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Santosh K. Tiwari, Advocate for the petitioner.
Shri V.V.S.Moorthy, Dy. Advocate General for the State/ respondents.

ORDER

(Passed on 12th day of June, 2007)

1. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B.T.I. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur